



DEPARTMENT OF HEALTH & HUMAN SERVICES

Food and Drug Administration
Rockville MD 20857

JUL - 2 1999

6554 '99 JUL -6 P1:42

The Honorable Peter T. King
House of Representatives
Washington, D.C. 20515-3203

Dear Mr. King:

Thank you for your recent inquiry of June 2, 1999, on behalf of your constituent, Mr. Martin Kellerman of Bellmore, New York, concerning actions by the Food and Drug Administration (FDA or the Agency) in regard to labeling of foods treated with ionizing radiation.

The 1997 FDA Modernization Act (PL 105-115) states that "[n]o provision . . . shall be construed to require on the label or labeling of a food a separate radiation disclosure statement that is more prominent than the declaration of ingredients" FDA published a final rule implementing this provision of the law in the Federal Register of August 17, 1998. A copy of this regulation, along with the pre-existing labeling requirements for food treated with ionizing radiation (21 CFR 179), are enclosed for your information.

In addition, the Statement of Managers accompanying the FDA Modernization Act directed FDA to publish for public comment further proposed changes to the Agency's current labeling regulations. The managers stated their intention that any required labeling be of a type and character such that it would not be perceived to be a warning or give rise to inappropriate consumer anxiety. On February 17, 1999, FDA published an Advance Notice of Proposed Rulemaking (ANPR) in the Federal Register soliciting public comment on whether additional revisions to the current irradiation labeling requirements are needed and, if so, what form such revisions might take. The deadline for comments in response to the ANPR has been extended to July 19, 1999.

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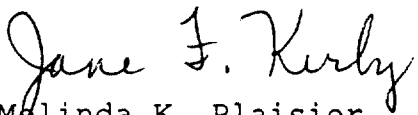
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We have forwarded Mr. Kellerman's correspondence to the Docket for inclusion in the record. FDA's final approach to labeling of irradiated foods will take into account all of the data and information received.

Because your constituent may be concerned about irradiation labeling for meat and poultry, you may also wish to contact the United States Department of Agriculture (USDA) for information. (USDA has primary regulatory authority over meat and poultry products, including the labeling of such products.)

We have also enclosed some general background on the issue of irradiation. We trust this responds to your concerns. If we may be of further assistance, please contact us again.

Sincerely,


for Melinda K. Plaisier
Interim Associate Commissioner
for Legislative Affairs

Enclosures

cc: Dockets Management Branch
(98N-1038)

Congress of the United States

House of Representatives

Washington, D.C.

June 2, 1999

Sir/Madam:

The attached communication is sent for your consideration. Please investigate the statements contained therein and forward me the necessary information for reply, returning the enclosed correspondence with your answer.

Yours truly,

Pete King M.C.
(NY-3)
Jam

No. 99-3878

2375 Walton Ave

N. Belmore, NY 11710

May 9, 1999

Rep. Peter King
U.S. House of Representatives

MAY 13 1999

Dear Rep King -

I am writing you as a concerned constituent, a registered Republican and a consumer of food.

I am aware that The F.D.A., under pressure of food manufacturers and supporters of The nuclear industry, is considering a rule to remove labelling requirements for foods treated with radiation. Now, food that is treated with radiation is labelled with the radura symbol and a statement "treated with radiation" or "treated by irradiation".

I know The FDA has determined radiation is safe for food. But I don't want to eat food so treated, nor do my children or spouse. Since nutritional labelling is still required, why should we not be informed that our food is treated with some of the deadliest substances known to us?

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I cannot urge you strongly enough to
forcefully contact the FDA and demand that
food treated with radiation be so labelled.
Don't ~~stop~~ ^{stop} for caring about you, and
indeed all, who treat's health.

Martin Kellman